ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:	
NationsRent, Inc., et al.,[1]	Case Nos. 01-11628 through 01-11639 (PJW)
	Jointly Administered
Debtors.	Chapter 11
NationsRent Unsecured Creditor's Liquidating Trust, Perry Mandarino, not personally, but as Trustee	
Plaintiff,	
v.	District Court Case Nos. (KAJ):
Advanced Tire Inc.	04-CV-713
Airdyne Management Inc.	04-CV-714
ASAP Equipment Rental & Sales	04-CV-716
Blue Ribbon Tire Co., Inc.	04-CV-721
EJ Reynolds, Inc.	04-CV-722
CMD Group	04-CV-726
GCR Pensacola Truck Tire Ctr.	04-CV-730
GMR Marketing LLC	04-CV-731
Goodyear Commercial Tire & Service Center	04-CV-733
Mutual Industries	04-CV-737
Nabors Radiator & Electric	04-CV-738
Harte-Hanks	04-CV-739
US Market Inc.	04-CV-740
Joe Money Machinery	04-CV-741
Office Management Systems Inc.	04-CV-742

[1] NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRGP, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

Ingram Trucking LLC	04-CV-744
Reeder Distributors Inc.	04-CV-749
Saber Fleet Services, Inc. d/b/a Weiland Tire Service	04-CV-753
Sherwin-Williams	04-CV-754
Maxout Sourcing Services	04-CV-758
The Valvoline Company	04-CV-759
Morgan Marshall Industries Inc.	04-CV-763
A.O.K. Tire Mart II, Inc.	04-CV-766
Ael Leasing Co., Inc.	04-CV-767
GSR Construction, Inc.	04-CV-768
Gullo Ford Mercury	04-CV-769
Hick's Petroleum Distributors, Inc.	04-CV-770
Holt Equipment Company Co., LLC	04-CV-772
John Ray and Sons Inc.	04-CV-774
Orlando Industrial Contractors	04-CV-776
Original Equipment Replacement Parts, Inc.	04-CV-777
Johnson Ford Truck	04-CV-779
Parkway Truck Sales, Inc.	04-CV-781
M.P. Brine Inc.	04-CV-783
Authorized Equipment, Inc.	04-CV-784
Neff Rental Inc.	04-CV-785
Pratt & Whitney Canada, Inc.	04-CV-786
Diamond J. Transport, Inc.	04-CV-787
Equiptechs, Inc.	04-CV-789
Promotion Solution Inc.	04-CV-790
Progressive Tractor Corp.	04-CV-791
Olsen Tire	04-CV-792

Contractors Machinery Co. Inc.	04-CV-795
Southeastern Crane	04-CV-799
BBF, Ltd	04-CV-800
C.G.& E.	04-CV-802
Vic's Tire Service	04-CV-804
Texana Machinery Corp.	04-CV-805
Commercial Tire Inc.	04-CV-806
Tacony Corporation	04-CV-808
ADA Resources Inc.	04-CV-976
American Hydraulics	04-CV-980
TMP Worldwide Inc. also known as Monster Worldwide, Inc.	04-CV-986
Kent Demolition Tools	04-CV-987
Alternators Unlimited Reb.	04-CV-988
Land & Sea Petroleum, Inc.	04-CV-993
Central Tire	04-CV-995
Little Beaver, Inc.	04-CV-997
Columbus McKinnon Corp.	04-CV-999
Corporate Express	04-CV-1001
Truck PM Corporation	04-CV-1002
Diamant Boart Inc.	04-CV-1004
Tsurumi (America) Inc.	04-CV-1005
Diamond Hydraulics	04-CV-1006
Harbor Graphics Corporation	04-CV-1007
The Miller Spreader Co.	04-CV-1008
Hindley Electronics, Inc.	04-CV-1013
Mission Critical System, Inc.	04-CV-1014
Hunt & Sons	04-CV-1019

Empire Partner Inc.	04-CV-1023
Multiquip Inc.	04-CV-1025
Bobcat Company	04-CV-1026
Naab Consulting Corp.	04-CV-1027
Mobile Storage Group, Inc.	04-CV-1028
Robertson Fleet Service Inc.	04-CV-1029
Rhode Island Tire Co. Inc.	04-CV-1032
3-D/Costal Oil Company	04-CV-1033
Bradenton Fuel Oil, Inc.	04-CV-1037
Black & Veatch Constr.	04-CV-1039
NAPA Auto Parts, National Automotive Parts Association	04-CV-1041
Igloo Products Corp.	04-CV-1042
ID Technologies, Inc.	04-CV-1043
Nortrax Equipment Co. South LA	04-CV-1044
Nortrax Equipment Co. SE, LLC	04-CV-1045
Hart Industries Inc.	04-CV-1046
Partner Industrial Products	04-CV-1047
Gene Jackson Tire Co.	04-CV-1049
Star Tire Company Inc.	04-CV-1050
Sullivan Palatek Inc.	04-CV-1052
Palmer Distributing & Sales	04-CV-1055
Parts Associates	04-CV-1056
Bay Counties Pitcock Petroleum Inc.	04-CV-1060
Peterson Tire Inc.	04-CV-1061
Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor	04-CV-1063
Nortrax NE LLC	04-CV-1064
NSTAR Electric & Gas Corporation	04-CV-1066

NACM	04-CV-1067
Illuminating Company	04-CV-1070
Vermeer of Tennessee, Inc.	04-CV-1071
Napa Auto Parts of Franklin	04-CV-1073
Industrial Hydraulics	04-CV-1075
Vickers & Asso, Inc.	04-CV-1079
Jimmy's Garage	04-CV-1080
Viking Oil	04-CV-1081
Southern Energy Company	04-CV-1084
Nickey Petroleum Co. Inc.	04-CV-1085
Voltech Company	04-CV-1087
OTR Tire & Supply Co.	04-CV-1088
Overland Machinery Co.	04-CV-1089
Penick, Parr & Associates	04-CV-1092
Southern Linc	04-CV-1093
Diversified Credit Service	04-CV-1096
Watkins Oil Co Inc.	04-CV-1097
Pipeline Supply & Service	04-CV-1098
Speedway New Holland	04-CV-1100
Stewart & Stevenson	04-CV-1101
World Wide Welding & Press Inc.	04-CV-1103
Roland J. Robert Dist. Inc.	04-CV-1104
Don's Tire Service, Inc.	04-CV-1106
Vermeer Sales and Service of Southern Ohio, Inc.	04-CV-1107
Pro Chem Cleaning	04-CV-1108
Sellers Petroleum Products Inc.	04-CV-1109
Sunbelt Rentals Inc.	04-CV-1110

Dorris Cleaning	04-CV-1111
Vermeer Sales & Service of Colorado, Inc.	04-CV-1112
Staffing Master.com	04-CV-1113
Douglass Distributing	04-CV-1114
Keson Industries Inc.	04-CV-1116
Dutchess Forging	04-CV-1117
Quick Corner CITGO	04-CV-1119
Tex Con Oil Company	04-CV-1120
JAM Distributing Company	04-CV-1123
Barloworld Handling LP	04-CV-1125
Equipment Development Co., Inc.	04-CV-1128
Tioga Inc.	04-CV-1129
Falcon Power	04-CV-1130
TIP Dept 0501	04-CV-1131
Tire Centers LLC	04-CV-1133
S&D Tire Inc.	04-CV-1134
Tullo Truck Stop	04-CV-1138
Sanford Auto & Truck Parts	04-CV-1140
Fischer Group	04-CV-1141
Construction Machinery, Inc.	04-CV-1142
Valley Rubber & Gasket	04-CV-1144
Collision Pro	04-CV-1149
Fleetwing Corp.	04-CV-1151
Fluid Tech Hydraulics, Inc.	04-CV-1154
Dossey Holdings, Inc.	04-CV-1155
Archie's Truck Service	04-CV-1158
Soco Group	04-CV-1159
Arrow Master, Inc.	04-CV-1160

J&B Auto Supply, Inc.	04-CV-1162
L&P Financial Services	04-CV-1165
Vermeer Equipment of Texas Inc.	04-CV-1166
Delta BCX Printing	04-CV-1167
Delta Formost Chemical Corporation	04-CV-1170
Services & Materials, Co.	04-CV-1171
M & D Distributors	04-CV-1172
SB Power Tool Corp.	04-CV-1174
Vermeer Northeast	04-CV-1175
Husqvarna Forest & Garden	04-CV-1176
Miller Bros Giant Tire Service- Jacksonville, Inc.	04-CV-1178
Wayne Miller's Mobile Tire Inc.	04-CV-1179
Stone Construction Equipment Inc.	04-CV-1183
Jeff Falkanger & Associates	04-CV-1184
Mobile Products, Inc.	04-CV-1186
Sun Coast Resources Inc.	04-CV-1188
Vermeer Sales of Texas Inc.	04-CV-1189
Morgan Auto Supply Co.	04-CV-1191
Morgan Guaranty Trust Company of New York	04-CV-1192
Napa Auto Parts	04-CV-1193
Valley Tire Co., Inc.	04-CV-1194
Triton Transport Inc	04-CV-1196
Vector Security Inc	04-CV-1197
Truck Lease Corp.	04-CV-1198
Defendants.	

SCHEDULING ORDER

This 11th day of October 2005, the Court having conducted an initial Rule 16 scheduling and planning conference pursuant to Local Rule 16.2(a), and the parties having determined after discussion that the matters cannot be resolved at this juncture by settlement, voluntary mediation, or binding arbitration;

IT IS ORDERED that:

1. Rule 26(a)(1) Initial Disclosures. Unless otherwise agreed to by the parties, the parties shall make their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) within fourteen days of the date of this Order.

2. Joinder of other Parties and Amendment of Pleadings. All motions to join other parties, and to amend or supplement the pleadings shall be filed on or before December 16, 2005.

3. Discovery.

a. Limitation on Hours for Deposition Discovery. Each side is limited to a total of 24 hours of taking testimony by deposition of fact witnesses upon oral examination.

b. Location of Depositions. Any party or representative (officer, director, or managing agent) of a party filing a civil action in this district court must ordinarily be required, upon request, to submit to a deposition at a place designated within this district. Exceptions to this general rule may be made by order of the Court. A defendant who becomes a counterclaimant, cross-claimant, or third-party plaintiff shall be considered as having filed an action in this Court for the purpose of this provision.

c. Fact Discovery Cut Off. All fact discovery in these cases shall be initiated so that it will be completed on or before March 17, 2006. The Court encourages the parties to serve and respond to contention interrogatories early in the case. Unless otherwise ordered by the Court, the limitations on discovery set forth in Local Rule 26.1 shall be strictly observed.

d. Disclosure of Expert Testimony. Unless otherwise agreed to by the parties, they shall file their initial Federal Rule of Civil Procedure 26(a)(2) disclosures of expert testimony on or before March 31, 2006; and they shall file a supplemental disclosure to contradict or rebut evidence on the same subject matter identified by another party on or before April 28, 2006. To the extent any objection to expert testimony is made pursuant to the principles announced in Daubert v. Merrell Dow Pharm., Inc., 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court. All expert discovery shall be initiated so that it will be completed on or before June 1, 2006.

e. Discovery Disputes. Should counsel find they are unable to resolve a discovery dispute, the party seeking the relief shall contact chambers at (302) 573-6001 to schedule a telephone conference. Not less than forty-eight hours prior to the conference, the party seeking relief shall file with the Court a letter, not to exceed three pages, outlining the issues in dispute and its position on those issues. (The Court does not seek extensive argument or authorities at this point; it seeks simply a statement of the issue to be addressed and or summary of the basis for the party's position on the issue.) Not less than twenty-four hours prior to the conference, any party opposing the application for relief may file a letter, not to exceed three pages, outlining that party's reasons for its opposition. Should the Court find further briefing necessary upon conclusion of the telephone conference, the Court will order it. Disputes over protective orders are to be addressed in the first instance in accordance with this paragraph.

4. Papers Filed Under Seal. When filing papers under seal, counsel should deliver to the Clerk an original and one copy of the papers.

5. Settlement Conference. Pursuant to 28 U.S.C. § 636, all proceedings in which the Liquidating Trust is seeking to avoid and recover transfers in the amount of $50,000.00 or greater are referred to the United States Magistrate for the purpose of exploring the possibility of a settlement. The Magistrate Judge will schedule a settlement conference with counsel and their clients to be held within ninety days from the date of this Order.

6. Interim Status Report. On March 17, 2006, counsel for the Liquidating Trust shall file an interim report on the nature of the matters in issue and the progress of discovery to date.

7. Case Dispositive Motions. All case dispositive motions, an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before July 5, 2006. Briefing will be presented pursuant to the Court's Local Rules.

8. Applications by Motion. Except as otherwise specified herein, any application to the Court shall be by written motion filed with the Clerk. Unless otherwise requested by the Court, counsel shall not deliver copies of papers or correspondence to Chambers. Any non-dispositive motion should contain the statement required by Local Rule 7.1.1.

9. Status Conference. On _______________, _______ the Court will hold a Rule 16(a), (b) and (c) conference with counsel beginning at ______ _.m. to discuss the status of the proceedings and to schedule the final pretrial conference, trial date, and other deadlines in the proceedings.

____
The Honorable Kent A. Jordan
United States District Court Judge

603864v2